

Attorney Docket: 030348
U.S. Application No. 10/720,586 Examiner SIKRI, Art Unit 2109
Response to August 8, 2007 Final Office Action

REMARKS

In response to the final Office Action dated August 8, 2007, the Assignee respectfully requests continued examination and reconsideration based on the above amendments and on the following remarks.

Claims 1-20 are pending in this application.

Rejection of Claims 1-5, 7-16 & 18-20 Under § 103 (a)

The Office rejected claims 1-5, 7-16, and 18-20 under 35 U.S.C. § 103 (a) as allegedly being obvious over U.S. Patent 7,184,548 to Wee, *et al.* in view of U.S. Patent 5,790,176 to Craig.

Claims 1-5, 7-16, and 18-20, however, cannot be obvious over and *Craig*. These claims recite, or incorporate, many features that are not disclosed or suggested by the combined teaching of *Wee* and *Craig*. Independent claim 1, for example, recites “*segmenting the packets according to a set of subscriber-specified rules stored in memory*” (emphasis added). Support for such features may be found in the as-filed application at paragraph [0021], lines 7-9. Independent claim 1 also recites “*when a processing service is required, then grouping together individual packets as a segment, each of the individual packets in the segment requiring the processing service.*” Support for such features may be found in United States Application No. 10/720,941 (Attorney Docket 030006), which is incorporated by reference. Independent claim 1 is reproduced below, and independent claims 11 and 12 recite similar features.

[c01] A method of providing communications services, comprising:

retrieving audio-video data comprising packets of data packetized according to a packet protocol;

segmenting the packets according to a set of subscriber-specified rules stored in memory, the set of subscriber-specified rules specified by a subscriber to a subscription

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service, the set of subscriber-specified rules specifying how the audio-video data is formatted to suit a requirement of a client communications device;

when a processing service is required, then grouping together individual packets as a segment, each of the individual packets in the segment requiring the processing service;

dispersing the segment via a network to receive the processing service;

receiving a result of the processing service;

assembling formatted audio-visual data comprising the result of the processing service and an unprocessed segment; and

communicating the formatted audio-visual data via the network.

Wee and *Craig* cannot obviate these features. *Wee* describes a computer system that segments video data. See U.S. Patent 7,184,548 to *Wee, et al.* at column 3, lines 38-51. *Wee*, however, segments a "video frame" into regions. The independent claims, in contradistinction, segment "packets according to a set of subscriber-specified rules stored in memory" (emphasis added). As *Wee* explains, "the video data is comprised of a stream of uncompressed video frames which are received by segmented 702." *Id.* at column 7, lines 64-66. As FIG. 10 illustrates, the video frame is segmented into regions. See *id.* at column 9, lines 18-21, lines 23-27, and lines 27-30. See also FIGS. 10A, 10B, and 10C. Each region is then packetized using header data and scalable video data. See *id.* at column 8, line 62 through column 9, line 7. *Wee* further explains its process at column 10, line 55 through column 11, line 20.

Moreover, *Craig* does not cure these deficiencies. The Office alleges that *Craig* discloses "a set of subscriber-specified rules stored in memory," but the Assignee cannot agree. The passages cited by the Office in no way disclose or suggest "subscriber-specified rules." The Office, for example, cites to *Craig* at column 6, lines 42-50. This entire passage of *Craig* is reproduced below:

The Media Server uses compression techniques to store video and other multi-media data in memory resources controlled by the Media Server for subsequent forwarding over interoffice facilities. The switching facilities are located in Central Offices (COs) serving residential customers or subscribers. Loop electronic devices modify the transmission characteristics of the

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local copper loop, to provide required enhancement to the PSTN and permit delivery of full motion video information and other media.

U.S. Patent 5,790,176 to Craig at column 6, lines 41-50. No where does this passage teach or suggest *"segmenting the packets according to a set of subscriber-specified rules stored in memory, the set of subscriber-specified rules specified by a subscriber to a subscription service, the set of subscriber-specified rules specifying how the audio-video data is formatted to suit a requirement of a client communications device."*

The Office also cites to *Craig* at column 11, lines 36-41. This entire passage of *Craig* is reproduced below:

Depending upon the usage of a particular memory device by a particular subscriber, there may be additional capacity in that memory device to accommodate dedication to more than one subscriber. A particularly effective method is the dedication of a memory device to a group of subscribers where the usage of that group represents the normal capacity of the memory device.

Id. at column 11, lines 36-41. Again, no where does this passage teach or suggest *"segmenting the packets according to a set of subscriber-specified rules stored in memory,"* as the independent claims recite.

Wee and *Craig*, then, cannot obviate claims 1-5, 7-16, and 18-20. The proposed combination of *Wee* and *Craig* segments a "video frame" into regions. The independent claims, in contradistinction, segment *"packets according to a set of subscriber-specified rules stored in memory"* (emphasis added). Moreover, *Wee* and *Craig* are silent to *"when a processing service is required, then grouping together individual packets as a segment, each of the individual packets in the segment requiring the processing service."* The dependent claims incorporate these same features and recite additional features. One of ordinary skill in the art, then, would not think that claims 1-5, 7-16, and 18-20 are obvious. The Office is thus respectfully requested to remove the § 103 (a) rejection of these claims.

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Rejection of Claims 6 & 17 under § 103 (a)

The Office rejected claims 6 and 17 under 35 U.S.C. § 103 (a) as allegedly being obvious over *Wee* in view of *Craig* and further in view of U.S. Patent 6,567,375 to Balachandran, *et al.* Claims 6 and 17, however, respectively depend from independent claims 1 and 11. Claims 6 and 17, therefore, incorporate the same distinguishing features of their respective base claims. As the above paragraphs already explained, *Wee* and *Craig* fail to teach or suggest many of the features recited by independent claims 1 and 11.

Balachandran does not cure these deficiencies. *Balachandran* transmits a first segment of a packet using a first modulation and coding scheme, while a second segment is transmitted using a "more robust" modulation and coding scheme. U.S. Patent 6,567,375 to Balachandran, *et al.* (May 20, 2003) at column 2, lines 45-50. *Balachandran* uses a packet's size to determine which coding scheme is applied. "Generally speaking, when the packet size is very small ..., the most robust coding scheme [MCS5]" is used. *Id.* at column 6, lines 18-20. "As packet size increases," another coding scheme is used. *Id.* at column 6, lines 20-22. *Balachandran's* modulation and coding scheme may be appropriately specified when system loading is light. See *id.* at column 6, lines 53-58.

Still, though *Wee*, *Craig*, and *Balachandran* cannot obviate claims 6 and 17. The proposed combination of *Wee*, *Craig*, and *Balachandran* remains silent to "segmenting the packets according to a set of subscriber-specified rules stored in memory" (emphasis added). *Wee*, *Craig*, and *Balachandran* also remains silent to "when a processing service is required, then grouping together individual packets as a segment, each of the individual packets in the segment requiring the processing service." One of ordinary skill in the art, then, would not think that claims 6 and 17 are obvious. The Office is thus respectfully requested to remove the § 103 (a) rejection of these claims.

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If any issues remain outstanding, the Office is requested to contact the undersigned at
(919) 469-2629 or scott@scottzimmerman.com.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Scott P. Zimmerman', with a stylized flourish at the end.

Scott P. Zimmerman
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